

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

The March 14, 2000 Official Action and the Examiner's comments have been carefully considered. In response, the specification and Abstract are amended, claims are cancelled, amended and added, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

SPECIFICATION

The specification is amended to delete superfluous language. No new matter is added.

ABSTRACT

In the Office Action the Abstract is objected to "because it includes claim-like language, such as: means". In response, the original Abstract of the Disclosure is cancelled and a new Abstract is substituted therefor. In view of the amendment of the Abstract of the Disclosure, reconsideration and withdrawal of the objection thereto are respectfully requested.

PRIOR ART REJECTIONS

In the Office Action claim 1 is rejected under 35 USC 102(b) as being clearly anticipated by USP 1,382,354 (Greenberg). Claims 1 and 2 are rejected under 35 USC 102(b) as being clearly anticipated by USP 2,516,985 (Hecht). Claims 1 and 2 are rejected under 35 USC 102(b) as being clearly anticipated by USP 3,575,265 (Simjian).

In addition, claims 3-7 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

In response, claim 1 is amended to include the limitations of claim 2. Accordingly, claim 2 is cancelled. In addition, claims 4 and 7 are cancelled due to their dependence on cancelled claim 2, claims 3, 5 and 6 are amended, and claims 8 and 9 are added. The present claimed inventions as defined by claims 1, 3, 5, 6, 8 and 9 are patentable over the cited references for the following reasons, inter alia.

The present claimed invention as defined by amended claim 1 includes both the input portion (82) and the operation control means (84,85) on each conveying container (see, for example, Figs. 2-4 and page 6, line 1 - page 9, line 2 of the present application). In operation, the food preparer inputs identification information of a customer's location via input portion 82 such that the plate 5 containing the food order is kept retracted within conveying container 9 until the container

is proximate the customer's location wherein the plate 15 is raised, notice is given to the customer via speaker 84 or lamp 85, and the customer removes the plate. Other, non-specially ordered food is circulated with the specially ordered food, but it is not hidden from view in a conveying container. Therefore, it is easy for all customers in an eating establishment, i.e. the orderer and other non-ordering customers, to know the specially ordered food from the non-specially ordered circulating foods (which may be removed by anyone on the conveying path 7). Thereby, with the present invention, there is little chance that the specially ordered food or drink will be removed by a person who did not order the food.

None of the cited references disclose, teach or suggest a conveying container having an input means and operation control means as defined by amended claim 1.

Hecht (see lines 52 to 65 of column 3) teaches that the container 61 includes neither input means nor operation control means.

Simjian (see lines 30 to 60 of column 5), teaches an article delivery system which controls the conveying of the tray 28 to the respective patron by the code storage means and ticket stub portion. The tray 28 is an ordinary tray and does not include the input means or operation control means.

Greenberg was cited only against original claim 1. Greenberg does not close the gap between the invention as defined by amended claim 1 and Hecht/Simjian.

The structure of the present claimed invention is completely different from the references cited by the Examiner. Further, it is not possible to achieve the stated objective of the present invention that another customer may take the ordered food or drink from the conveying path with any of the apparatus disclosed in the references.

In view of the foregoing, claims 1, 3, 5 and 6 are patentable over the references cited by the Examiner taken either alone under 35 USC 102 or in combination under 35 USC 103.

NEW CLAIMS

In the Official Action, claims 3-7 were objected to as being dependent upon a rejected base claim but were indicated as being allowable if rewritten in independent form. Claims 8 and 9 are added to the present application. Claim 8 corresponds to claim 3 in independent form and claim 9 corresponds to claim 6, but claim 9 is dependent on claim 8.

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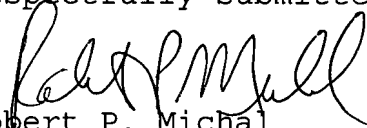
If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

Entry of the amendment, allowance of the claims, and the passing of the application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the

undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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